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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/303,057	04/30/1999	KATHERINE GRACE AUGUST	3376/34	7835

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Theodore Naccarella  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107

EXAMINER

OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/303,057

Applicant(s)

AUGUST ET AL

Examiner

Michael N. Opsasnick

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2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackmer et al (5393236) in view of Kuhn et al (6016471).

As per claims 1,15, and 23, Blackmer et al (5393236) teaches a computer allowing a user to set a pronunciation of a string of characters (Fig. 1 subblock 19) comprising:

“allowing the user to select one or more characters in the string, and retrieving from a database accessible by the computer a plurality of samples.....retrieved samples” as the user selecting string and retrieving the pronunciation (col. 19 lines 1-34);

“allowing the user.....samples, storing a first pronunciation record comprising.....selected by the user” as use storing the user’s pronunciator (col. 19 line 50 - col. 20 line 10).

Blackmer et al (5393236) does not explicitly teach training the recognition system for pronunciations, however, Kuhn et al (6016471) teaches incorporating the pronunciation aspect into existing systems (abstract, col. 5 lines 10-31). Therefore, it would have been obvious to one

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of ordinary skill in the art of pronunciation recognition to modify the teachings of Blackmer et al (5393236) with training an existing recognition system because it would advantageously provide useful feedback to the user with respect to pronunciation accuracy (Kuhn et al (6016471), col. 5 lines 25-32).

As per claims 2 and 16, Blackmer et al (5393236) teaches comprising:

“generating a pronunciation.....outputting the generated pronunciation” as audible output of the pronunciation (col. 19 lines 40-45)

As per claims 3 and 17, Blackmer et al (5393236) teaches allowing the user to select another of the displayed samples after audibly outputting the generated pronunciation as selecting the displayed pronunciation (col. 19 lines 40-45)

As per claims 4 and 18, Blackmer et al (5393236) teaches “allowing the user to select a second of the displayed samples.....selected by the user” as user selecting a second record (col. 19 lines 40-45)

As per claims 5 and 19, Blackmer et al (5393236) teaches “during a text to speech process.....pronunciation records” as choosing playing the pronunciation record (col. 19 lines 28-39)

As per claims 6-8, and 20-22, Blackmer et al (5393236) teaches “associating the first and second pronunciation files with first and second objects,.....recognizing a pronunciation of the string of characters by a user.....associating the first and second pronunciation files with first and second objects.....pronunciation record” as samples stack, personal stack, and comparing both (col. 9 lines 36 - col. 10 line 45)

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As per claim 9, Blackmer et al (5393236) teaches allowing the user to identify a part of the character string as a separate syllable.....the identified syllable as storing 2 separate syllables (col. 22 lines 20-25)

As per claim 10, Blackmer et al (5393236) teaches identifying strings by accents (col. 22 lines 18-31)

As per claim 11, Blackmer et al (5393236) teaches input character string (fig. 10c)

As per claim 12, Blackmer et al (5393236) teaches the user to select the character string (fig. 10c)

As per claim 13, Blackmer et al (5393236) teaches allowing the user to selected a preferred language (Fig. 8)

As per claim 14, Blackmer et al (5393236) teaches selecting a second language (as choosing from multiple languages, Fig. 9)

### ***Response to Arguments***

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

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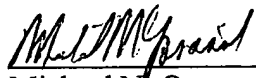
***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Wayne Young, can be reached at (571)272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno  
11/26/05

  
Michael N. Opsasnick  
Examiner  
Art Unit 2655